

Court of Appeals, State of Michigan

ORDER

People of MI v Angelo Donya Lamb

Docket No. 284175

LC No. 07-003224 FH

Elizabeth L. Gleicher
Presiding Judge

Mark J. Cavanagh

Pat M. Donofrio
Judges

In lieu of granting the delayed application for leave to appeal, this Court orders pursuant to MCR 7.205(D)(2) that defendant's sentence is VACATED and this matter is REMANDED for resentencing. On remand, the resentencing court shall resentence defendant within the applicable statutory guidelines. Alternatively, if the resentencing court intends to sentence defendant with an upward departure from the guidelines, the resentencing court shall provide, on the record, substantial and compelling reasons for the upward departure. *People v Babcock*, 469 Mich 247; 666 NW2d (2003).

The Court does not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 16 2008

Date

Sandra Schultz Mengel
Chief Clerk